



July 15, 2021

VIA ECF

Honorable Andrew L. Carter
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: *Jillian Lugo v. Puerto Rican Family Institute Inc.*
Docket No.: 21-cv-02617 (ALC)

Dear Judge Carter:

This firm represents Plaintiff Jillian Lugo in the above-referenced matter against Defendant Puerto Rican Family Institute Inc. for alleged violations of the Fair Labor Standards Act and New York Labor Law. On July 14, 2021, Defendant filed a request for a pre-motion conference relating to a motion to dismiss the Complaint pursuant to Fed. R. Civ. P. 12(b)(6). D.E. 17. Additionally, this matter has been referred to the SDNY mediation program. Plaintiff believes that it would be prudent to conserve the Court's and the parties' resources that would be expended on motion practice until after the Court-ordered mediation is conducted, including avoiding amassing substantial attorneys' fees that could hinder settlement discussions.

Accordingly, Plaintiff requests that the Court stay this matter, including any opposition to Defendant's request for a pre-motion conference or any subsequent formal motion practice, until mediation is conducted. Having conferred with Defendant's counsel regarding this request, Defendant indicates that it does not consent to this request. Defendant stated its reason for denying consent is that it wishes to be heard by the Court with respect to its request for a pre-motion conference. This is Plaintiff's first request for this relief.

Additionally, this matter is being handled and litigated by Peter A. Romero, Esq. Mr. Romero is currently out of town on a scheduled vacation and will be returning to the office on Monday, July 19, 2021. Thus, alternatively, Plaintiff requests an extension of time to submit her opposition to Defendant's request for a pre-motion conference from July 19, 2021 to July 21, 2021. If granted, this will provide Mr. Romero with three business days to oppose Defendant's request for a pre-motion conference following his return to the office, which is the equivalent of the amount of time permitted under Your Honor's rules. Defendant consents to this request. This is Plaintiff's first request for this relief.

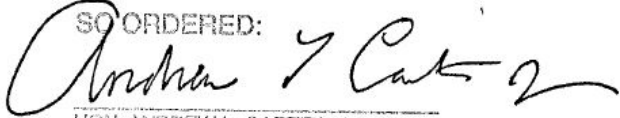
We thank the Court for its consideration of these requests.

Respectfully submitted,

/S/ David D. Barnhorn
DAVID D. BARNHORN, ESQ.

C: All Counsel of Record *via* ECF

Plaintiff's request for a stay pending mediation is DENIED without prejudice to renewal. However, Plaintiff's request for an extension of time to respond to Defendant's pre-motion conference letter is GRANTED. Plaintiff is hereby ORDERED to respond to Defendant's pre-motion conference letter by no later than July 21, 2021.

SO ORDERED:

HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE

Dated: July 16, 2021